

(3) *threatens to exhibit or use a firearm in or on property described by Subdivision (1)(A) or on a bus described by Subdivision (1)(B).*

(b) An offense under Subsection (a)(1) or (2) ~~[this section]~~ is a third degree felony.

(c) An offense under Subsection (a)(3) is a Class A misdemeanor.

SECTION 2. The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2017.

Passed by the House on May 6, 2017: Yeas 138, Nays 6, 2 present, not voting; passed by the Senate on May 24, 2017: Yeas 31, Nays 0.

Filed without signature June 15, 2017.

Effective September 1, 2017.

BOARD OF DIRECTORS OF THE OLD CELINA MUNICIPAL MANAGEMENT DISTRICT NO. 1

CHAPTER 796

H.B. No. 2881

AN ACT

relating to the board of directors of the Old Celina Municipal Management District No. 1.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 3919.001, Special District Local Laws Code, is amended to read as follows:

Sec. 3919.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "City" means the City of Celina, Texas.
- (3) "Commission" means the Texas Commission on Environmental Quality.
- (4) ~~[(3)]~~ "County" means Collin County, Texas.
- (5) ~~[(4)]~~ "Director" means a board member.
- (6) ~~[(5)]~~ "District" means the Old Celina Municipal Management District No. 1.

SECTION 2. Section 3919.051, Special District Local Laws Code, is amended to read as follows:

Sec. 3919.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five *elected* directors ~~[composed of:~~

- ~~[(1) three directors appointed by the governing body of the city;~~
- ~~[(2) the city manager; and~~
- ~~[(3) the city's chief financial officer].~~

(b) Directors ~~[Appointed directors]~~ serve staggered terms of four years, with ~~[one or]~~ two or three directors' terms expiring May 31 of each *odd-numbered* ~~[even-numbered]~~ year.

(c) The board shall hold an election for directors on the uniform election date in May in odd-numbered years.

SECTION 3. Section 3919.052(a), Special District Local Laws Code, is amended to read as follows:

(a) *Section 375.072(c)* [~~Sections 375.063 and 375.072(a) and (c)~~], Local Government Code, *does* [~~do~~] not apply to a director.

SECTION 4. Section 3919.053, Special District Local Laws Code, is amended to read as follows:

Sec. 3919.053. VACANCY. *If a vacancy occurs on the board, the remaining directors* [~~The governing body of the city~~] shall appoint a director to *serve* [~~fill a vacancy on the board~~] for the remainder of the unexpired term.

SECTION 5. Section 3919.056(a), Special District Local Laws Code, is amended to read as follows:

(a) The district shall compensate *directors* as provided by Section 49.060, Water Code; ~~each director who is not a member of the governing body of the city or an employee of the city~~.

SECTION 6. Section 3919.059, Special District Local Laws Code, is amended to read as follows:

Sec. 3919.059. REMOVAL OF DIRECTORS. (a) *The board* [~~governing body of the city~~] may remove a director *by unanimous vote of the other directors if the director has missed at least half of the meetings scheduled during the preceding 12 months.*

(b) *A director removed under this section may file a written appeal with the commission not later than the 30th day after the date the director receives written notice of the board action. The commission may reinstate the director if the commission finds that the removal was unwarranted under the circumstances after considering the reasons for the absences, the time and place of the meetings, the business conducted at the meetings missed, and any other relevant circumstances.* [~~appointed under Section 3919.051(a)(1).~~]

SECTION 7. Subchapter B, Chapter 3919, Special District Local Laws Code, is amended by adding Section 3919.061 to read as follows:

Sec. 3919.061. TRANSITIONAL DIRECTORS AND INITIAL PERMANENT DIRECTORS. (a) The transitional board consists of:

<i>Pos. No.</i>	<i>Name of Director</i>
<i>1</i>	<i>Matthew Kiran</i>
<i>2</i>	<i>Scott Balch</i>
<i>3</i>	<i>Charles Brown</i>
<i>4</i>	<i>G. A. Moore, Jr.</i>
<i>5</i>	<i>Matt Gold</i>

(b) *A transitional director serves until the earlier of:*

- (1) the date the initial permanent directors are elected under Section 3919.051; or*
- (2) September 1, 2021.*

(c) *If the initial permanent directors have not been elected under Section 3919.051, and the terms of the transitional directors have expired, the commission shall appoint successor transitional directors as provided by Subsection (d) to serve terms that expire the earlier of:*

- (1) the date initial permanent directors are elected under Section 3919.051; or*
- (2) the fourth anniversary of the date the preceding transitional directors' terms expired.*

(d) *If the initial permanent directors have not been elected under Section 3919.051, the owner or owners of a majority of the assessed value of the real property in the district according to the most recent certified tax appraisal rolls for the county may submit a writ-*

ten petition to the commission requesting that the commission appoint successor transitional directors to serve four-year terms beginning on the date the terms of the transitional directors then serving expire. The commission shall appoint as the successor transitional directors five persons named in a list of nominees included with the petition.

(e) The initial permanent directors elected under Section 3919.051 shall draw lots to determine which two shall serve two-year terms and which three shall serve four-year terms.

SECTION 8. Section 3919.052(c), Special District Local Laws Code, is repealed.

SECTION 9. The terms of the members of the board of the Old Celina Municipal Management District No. 1 serving on the effective date of this Act who were appointed under Chapter 3919, Special District Local Laws Code, before the effective date of this Act expire on the effective date of this Act. On the effective date of this Act, the board of directors of the Old Celina Municipal Management District No. 1 is composed of the directors described by Section 3919.061, Special District Local Laws Code, as added by this Act.

SECTION 10. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 11. This Act takes effect September 1, 2017.

Passed by the House on May 19, 2017: Yeas 142, Nays 2, 2 present, not voting; passed by the Senate on May 24, 2017: Yeas 29, Nays 1, 1 present, not voting.

Filed without signature June 15, 2017.

Effective September 1, 2017.

**CREATION OF THE NEW FAIRVIEW MUNICIPAL UTILITY
DISTRICT NO. 1; GRANTING A LIMITED POWER OF
EMINENT DOMAIN; PROVIDING AUTHORITY TO ISSUE
BONDS; PROVIDING AUTHORITY TO IMPOSE
ASSESSMENTS, FEES, AND TAXES**

CHAPTER 797

H.B. No. 2912

AN ACT

relating to the creation of the New Fairview Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7987 to read as follows:

CHAPTER 7987. NEW FAIRVIEW MUNICIPAL UTILITY DISTRICT NO. 1